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IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA ) Criminal No. 21-227  
                                )  
                                )  
v.                            ) (18 U.S.C. §§ 1791(a)(2), 1791(b)(4), and  
                                )  
JAMES BYRD                  ) 1791(b)(5))  
                                )

**FILED**

**INDICTMENT**

**COUNT ONE**

CLERK U.S. DISTRICT COURT  
WEST. DIST. OF PENNSYLVANIA

The grand jury charges:

On or about July 22, 2020, in the Western District of Pennsylvania, the defendant, JAMES BYRD, an inmate in custody at the Allegheny County Jail, a prison, institution, or facility in which persons are held in custody by direction of or pursuant to a contract or agreement with the Attorney General, did knowingly and intentionally possess a prohibited object, to wit: a phone or other object used by a user of commercial mobile service (as defined in Section 332(d) of Title 47) in connection with such service.

In violation of Title 18, United States Code, Sections 1791(a)(2) and 1791(b)(4).

**COUNT TWO**

The grand jury further charges:

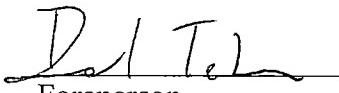
On or about July 22, 2020, in the Western District of Pennsylvania, the defendant, JAMES BYRD, an inmate in custody at the Allegheny County Jail, a prison, institution, or facility in which persons are held in custody by direction of or pursuant to a contract or agreement with the Attorney General, did knowingly and intentionally possess prohibited objects, to wit: cigarettes, a JUUL vape pen, and a red cigarette lighter, which are objects that threaten the order, discipline, or security of a prison, or the life, health, or safety of an individual.

In violation of Title 18, United States Code, Sections 1791(a)(2) and 1791(b)(5).

**FORFEITURE ALLEGATION**

The allegations contained in Counts One and Two of this Indictment are hereby re-alleged and incorporated by reference, as though fully set forth herein, for the purpose of alleging forfeiture pursuant to Title 18, United States Code, Section 4012. As a result of his commission of these offenses, defendant JAMES BYRD, shall forfeit to the United States any and all contraband seized on July 22, 2020, including, but not limited to: a Unihertz forum 4g mini smartphone, model Jelly Pro, containing a Sandisk Micro SD card; cigarettes; a JUUL vape pen; and a red cigarette lighter.

A True Bill,

  
Foreperson

  
STEPHEN R. KAUFMAN  
Acting United States Attorney  
PA ID No. 42108